

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

Plaintiff,

v.

J. GARRY,

Defendant.

No. 2:20-cv-00800-TLN-AC

**ORDER**

Plaintiff Billy Driver, Jr. ("Plaintiff"), a state prisoner proceeding *pro se*, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 7, 2020, the Court adopted the magistrate judge's Findings and Recommendations issued July 29, 2020. (ECF Nos. 12, 16.) Pursuant to the Order, Plaintiff was required to pay the \$400.00 filing fee within 30 days or face dismissal of this action. (ECF No. 16.) More than 30 days have passed, and Plaintiff has not paid the filing fee.

Accordingly, IT IS HEREBY ORDERED that:

1. This action is DISMISSED without prejudice for failure to pay the filing fee as required under 28 U.S.C. § 1915(g); and

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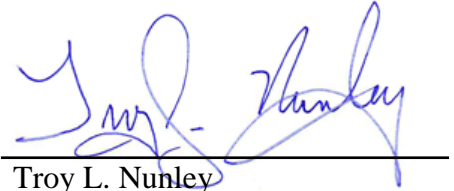
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1           2. The Clerk of the Court is directed to close this file.

2           IT IS SO ORDERED.

3       DATED: December 7, 2020

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Troy L. Nunley  
United States District Judge